

Introduced by Senator WolkFebruary 22, 2013

An act to amend Section 21100 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 614, as introduced, Wolk. Irrigation districts: directors.

Existing law, the Irrigation District Law, with certain exceptions, requires a director elected at a formation election to be a resident, landowner, and voter in the proposed district at the time of his or her nomination and a resident of the division that he or she represents during his or her entire term. Existing law, with certain exceptions, requires a director of the board of an irrigation district to be a voter and, unless exempted under certain circumstances, a landowner in the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during the director's entire term.

This bill would eliminate the landownership requirement pertaining to a director of the board of an irrigation district.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21100 of the Water Code is amended to
- 2 read:
- 3 21100. (a) Each director, except as otherwise provided in this
- 4 division, shall be a voter ~~and a landowner~~ in the district and a
- 5 resident of the division that he or she represents at the time of his
- 6 or her nomination or appointment and through his or her entire
- 7 term, except in the case of the director elected at a formation

1 election. A director elected at a formation election shall be a
2 resident, ~~landowner~~, and voter in the proposed district at the time
3 of his or her nomination and a resident of the division that he or
4 she represents during his or her entire term.

5 (b) In any district having no more than 15 landowners who are
6 voters in the district, a person need not be a voter but shall be
7 qualified to be a director of the district if he or she is a landowner
8 of the district at the time of his or her nomination or appointment
9 and during his or her entire term.

10 (c) In a district providing retail electricity for residents of the
11 district, each director, except as otherwise provided in this division,
12 shall be a voter of the district and a resident of the division that he
13 or she represents at the time of his or her nomination or
14 appointment and during his or her entire term, except in the case
15 of a director elected at a formation election. A director elected at
16 a formation election shall be a resident in the proposed district at
17 the time of his or her nomination and a resident of the division that
18 he or she represents during his or her entire term.

19 ~~(d) (1) Notwithstanding subdivision (a) of Section 21100, except~~
20 ~~as provided in paragraph (2), for the purpose of meeting the~~
21 ~~requirements of that subdivision, a person need not be a landowner~~
22 ~~within the district to be qualified to be a director of the district if~~
23 ~~either of the following applies:~~

24 ~~(A) The person serves or seeks to serve on the board of directors~~
25 ~~of a district without divisions and the district is required to submit~~
26 ~~an urban water management plan pursuant to the Urban Water~~
27 ~~Management Planning Act (Part 2.6 (commencing with Section~~
28 ~~10610) of Division 6).~~

29 ~~(B) The person serves or seeks to serve on the board of directors~~
30 ~~of a district with divisions, the district is required to submit an~~
31 ~~urban water management plan pursuant to the Urban Water~~
32 ~~Management Planning Act (Part 2.6 (commencing with Section~~
33 ~~10610) of Division 6), and the district, within the division that the~~
34 ~~person represents or seeks to represent, supplies water as a public~~
35 ~~water system subject to Chapter 4 (commencing with Section~~
36 ~~116270) of Part 12 of Division 104 of the Health and Safety Code.~~

37 ~~(2) A director appointed or elected before January 1, 2007, shall~~
38 ~~be subject to the qualification requirements imposed by subdivision~~
39 ~~(a) until the expiration of his or her term.~~

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